

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1-25-08

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FRANK BETTIS,

Plaintiff,

-against-

RAYMOND KELLY, as Commission of
the New York City Police
Department, et al.,

Defendant.
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07 Civ. 9718 (SHS) (HBP)

ORDER

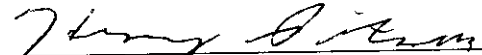
PITMAN, United States Magistrate Judge:

On or about January 16, 2008, plaintiff submitted to the Court two documents entitled "Motion to Amend Complaint Motion to Remand Complaint" and "Amended Complaint." Because defendants have moved to dismiss but have not yet answered the complaint, plaintiff can still file an amended complaint as a matter of right. 6 Charles A. Wright, Arthur R. Miller & Mary K. Kane, Federal Practice & Procedure § 1483 at 585-86 (2d ed. 1990). Accordingly, the Clerk of the Court is directed to docket

the Amended Complaint. The Clerk of the Court is further directed to file the Motion to Remand separately.

Dated: New York, New York
January 25, 2008

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies mailed to:

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